

REMARKS

As a preliminary matter, acknowledgement of the certified copy of the priority document is requested. The certified copy was filed with a formal Claim for Priority when this application was filed, on September 15, 2003.

The background of the invention has been amended as required. Withdrawal of the outstanding objection is requested.

Claims 1-2 stand rejected under § 102 on the basis of Ottesen et al., and claims 3-5 stand rejected under § 103 on the basis of Ottesen et al. and Tani et al. In response, claim 6 has been rewritten in independent form, and claim 1 has been cancelled. Since claim 6 is directed to allowable subject matter, withdrawal of these rejections is respectfully requested.

Claim 13 stands rejected under § 103 on the basis of Ottesen et al. and Allison. Claim 13 has been amended to overcome this objection and applicants traverse because the cited references do not disclose or suggest the detection signal defined in amended claim 13.

Claim 13 now defines, among other things, that the function generating circuit is designed to generate a sine wave signal and a cosine wave signal based on rotation of the recording medium, and that the detection signal from the acoustic emission sensor designates an elastic wave between the target object and the surface of the recording medium.

In the rejection of claim 13, the examiner insists that Allison discloses the claimed function generating circuit. Allison discloses a general function generator that generates test signals consisting of $\sin \omega t$ and $\cos \omega t$. See column 3, lines 28 and 29, and Fig.

1 of Allison. However, the function generator does not generate the test signals based on rotation of a recording medium. The cited references fail to disclose or even suggest the detection signal defined in amended claim 13. Withdrawal of this rejection, and the rejections of dependent claims 14-18, is respectfully requested.

For the foregoing reasons, applicant believes that this case is in condition for allowance, which is respectfully requested. The examiner should call applicants' attorney if an interview would expedite prosecution.

Respectfully submitted,

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